

CODE OF THE CITY OF YONKERS, NEW YORK (updated 05-15-2007, Supplement No. 11)
PART I, GENERAL PROVISIONS
Chapter 1, GENERAL PROVISIONS
ARTICLE II, Construction and Definitions [Adopted at time of adoption of Code
§ 1-13. Enumeration of powers not restrictive.

The enumeration of specific powers by this Code shall not operate to restrict the meaning of a general grant of power contained in this Code or to exclude other powers comprehended in such general grant.

§ 1-14. Definitions.

For the purposes of the Code of the City of Yonkers 1995, the terms used herein are defined as follows:

CITY -- The City of Yonkers.

CITY COUNCIL -- The City Council of the City of Yonkers.

CODE, THIS CODE, or YONKERS CITY CODE -- The Code of the City of Yonkers 1995.

COUNTY -- Westchester County.

MAYOR -- The Mayor of the City of Yonkers.

STATE -- The State of New York.

§§ 1-15 through 1-19. (Reserved)

ARTICLE III, Penalties [Adopted 10-8-1974 as L.L. No. 7-1974; amended in its entirety at time of adoption of Code ^{EN}]

§ 1-20. Section 42 of Second Class Cities Law superseded.

Section 42 of the Second Class Cities Law is hereby superseded and shall have no force or effect in relation to violations of ordinances of the City of Yonkers. Penalties for violations of ordinances of the City of Yonkers shall be imposed as provided in said ordinances.

§ 1-21. Penalties for offenses; lesser included offenses.

A. Except as otherwise provided, violations of the Yonkers City Code shall be subject to the following penalties:



CODE OF THE CITY OF YONKERS, NEW YORK (updated 05-15-2007, Supplement No. 11)

PART I, GENERAL PROVISIONS

Chapter 1, GENERAL PROVISIONS

ARTICLE III, Penalties [Adopted 10-8-1974 as L.L. No. 7-1974; amended in its entirety at time of adoption of Code

§ 1-21. Penalties for offenses; lesser included offenses.

(1) Class I offense:

(a) Criminal penalties: A Class I offense is an unclassified misdemeanor, subject to a fine of not less than \$250 nor more than \$2,500, imprisonment of not more than one year, or both.

(b) Civil penalties: A Class I offense is subject to a civil penalty of not less than \$500 nor more than \$10,000.

(2) Class II offense:

(a) Criminal penalties: A Class II offense is a violation, subject to a fine of not less than \$100 nor more than \$1,000, imprisonment of not more than 15 days, or both.

(b) Civil penalties: A Class II offense is subject to a civil penalty of not less than \$250 nor more than \$5,000.

(3) Class III offense:

(a) Criminal penalties: A Class III offense is a violation, subject to a fine of not more than \$250.

(b) Civil penalties: A Class III offense is subject to a civil penalty of not more than \$500.

B. If an action, omission or conduct is made unlawful under the Yonkers City Code and no penalty is set therefor, then such an action, omission or conduct shall be punishable as a Class II offense.

C. Notwithstanding any other provision of the Yonkers City Code, whenever any action, omission or conduct is in violation of the Yonkers City Code and such action, omission or conduct causes a danger to the health, safety or welfare of one or more persons or the public generally, then such a violation shall be punishable as a Class I offense.

D. Each day an unlawful act, omission or conduct continues shall be considered a separate offense.

E. An attempt to violate a Class I offense shall be a Class II offense. An attempt to violate a Class II offense shall be punishable as a Class III offense.

§ 1-22. Repeat offenders.

A. If a person is convicted of the crime of committing a Class II offense and that person commits the same Class II offense a second or subsequent time within three years of the prior conviction, then for each such second or subsequent offense that person shall be subject to Class I criminal penalties.